IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 16641 of 2007(F)

PETITIONER:

THE MANAGER, BRAHMANANDASWAMI
SIVAYOGI HIGHER SECONDARY SCHOOL,
KOLLENGODE, PALAKKAD DISTRICT.

BY ADV. SRI.LIJU. M.P

RESPONDENTS:

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1. THE STATE OF KERALA, REP. BY THE
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
(A) DEPARTMENT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
PALAKKAD.

3. SMT.ANASUYA, HEADMISTRESS (UNDER
SUSPENSION), BRAHMANANDASWAMI SIVAYOGI HIGHER
SECONDARY SCHOOL, KOLLENGODE, PALAKKAD DISTRICT,
RESIDING AT "ANUGRAHAM", VADAVANNUR, PALAKKAD.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA
GOVT.PLEADER SRI.T.T.MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1: TRUE COPY OF SHOW CAUSE NOTICE.

EXT.P2: TRUE COPY OF EXPLANATION DT. 1/9/05.

EXT.P3: TRUE COPY OF REMARKS SUBMITTED B Y PETR.

EXT.P4: TRUE COPY OF PROCEEDINGS DT. 11/11/2005.

EXT.P5: TRUE COPY OF ENQUIRY REPORT.

EXT.P6: TRUE COPY OF PROCEEDINGS DT. 3/2/2006.

EXT.P7: TRUE COPY OF NOTICE DT. 28/3/2006.

EXT.P8: TRUE COPY OF REPRESENTATION DT. ¼/2006.

EXT.P9: TRUE COPY OF REQUEST BY PETR.

EXT.P10: TRUE COPY OF PROCEEDINGS OF R2 DT. 16/6/2006.

EXT.P11: TRUE COPY OF REVISION PETITION DT. 15/7/2006.

EXT.P12: TRUE COPY OF PROCEEDINGS DT. 27/5/2006.

EXT.P13: TRUE COPY FO ORDER DT. 8/6/2006.

EXT.P14: TRUE COPY FO REVISION PETITION DT. 12/6/2006.

EXT.P15: TRUE COPY OF ORDER DT. 5/5/2007.

EXT.P16: TRUE COPY OF POSTAL RECEIPT

A.K. Basheer, J.

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W.P(C) No.16641 of 2007

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Dated this the 15th day of June, 2007.

J U D G M E N T

Heard learned counsel for the parties and perused the impugned order. It is discernible from the order that the case was heard by one officer and the order (Ext.P15) was issued by another. I am satisfied that the above order is liable to be quashed on that short ground. I do so.

Respondent No.1 shall pass an appropriate fresh order on Ext.P14 strictly on its merit and in accordance with law as expeditiously as possible, at any rate within 6 weeks from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner and respondent No.3 are afforded sufficient opportunity to be heard before any orders are passed. In the meanwhile, status quo as on today shall be maintained till orders are passed as directed above.

A.K. Basheer
Judge.

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